

STATE OF COLORADO

Colorado General Assembly

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MEMORANDUM

To: Emerson Sturgis and Marilee Sturgis

From: Legislative Council Staff and Office of Legislative Legal Services

Date: March 31, 2026

Subject: Proposed Initiative Measure 2025-2026 #293, concerning the adoption of federal laws

Section 1-40-105 (1), Colorado Revised Statutes, requires the directors of the Legislative Council Staff and the Office of Legislative Legal Services to "review and comment" on initiative petitions for proposed laws and amendments to the Colorado Constitution. We hereby submit our comments and questions to you regarding the appended proposed initiative.

The purpose of this statutory requirement of the directors of Legislative Council Staff and the Office of Legislative Legal Services is to provide comments and questions intended to aid designated representatives, and the proponents they represent, in determining the language of their proposal and to avail the public of the contents of the proposal. Our first objective is to be sure we understand your intended purposes of the proposal. We hope that the comments and questions in this memorandum provide a basis for discussion and understanding of the proposal. Discussion between designated representatives or their legal representatives and employees of the Legislative Council Staff and the Office of Legislative Legal Services is encouraged during review and comment meetings, but comments or discussion from anyone else is not permitted.

This proposed initiative **2025-2026 #293** was submitted by the same designated representatives as a part of a group of related proposed initiatives, including proposed initiatives **2025-2026 #287** through **#301**. The comments and questions raised in this memorandum do not include comments and questions that were addressed in the memoranda for proposed initiatives **2025-2026 #287 through #301**, except as necessary to fully understand proposed initiative **2025-2026 #293**. Comments and

questions addressed in those memoranda may also be relevant, and those questions and comments are considered part of this memorandum.

Purposes

The major purposes of the proposed amendment to the Colorado Constitution appear to be:

1. To adopt all United States laws, regulations, and executive orders in effect on January 19, 2025, as Colorado law, while replacing the terms “United States” and “the United States” with “Colorado”, “President” with “Governor”, “Congress” with “the General Assembly”, “United States of America” with “State of Colorado”, and “federal” with “state”.
2. To provide an exemption from the single subject rule for all bills and initiatives that repeal one or more of these United States laws, regulations, and executive orders that are in effect on January 19, 2025.

Substantive Comments and Questions

The substance of the proposed initiative raises the following comments and questions:

1. Article V, section 1 (5.5) of the Colorado Constitution requires all proposed initiatives to have a single subject. What is the single subject of the proposed initiative?
2. What is the intended practical mechanism for the adoption described in the initiative? How are Colorado courts and agencies to interpret and enforce this massive new volume of law, particularly when it may conflict with existing state statutes?
3. Is the adoption of all the laws, regulations, and executive orders meant to go into effect immediately upon the effective date of the proposed initiative?
4. When referring to the “single subject” rule are the proponents referring to Section 21 of Article V of the Colorado Constitution? If so, would the proponents include the legal citation in the reference? Do the proponents

intend that the provision would only apply to a bill that includes a repeal of federal law? If so, does that bill not already have a single subject?

5. Does this global replacement create unintelligible statutes? If so, how should these statutes be interpreted?
6. Does replacing "President" with "Governor" transfer all federal executive powers (e.g., nuclear command, pardon power for federal crimes) to the Governor?
7. Does replacing "Congress" with "General Assembly" transfer all federal legislative powers (e.g., declaration of war, regulation of military, commerce, currency, and intellectual property) to the General Assembly?
8. Have you considered any fiscal or other impacts that may result from the enactment of the proposed initiative on the state?
9. This initiative was submitted as a part of a group of related initiatives, including proposed initiatives 2025-2026 #287 through #301. What is your intended effect if this initiative 2025-2026 #293 is adopted and all or some of the other initiatives in the group are not adopted?

Technical Comments

The following comments address technical issues raised by the form of the proposed initiatives. These comments will be read aloud at the public meeting only if the designated representatives so request. You will have the opportunity to ask questions about these comments at the review and comment meeting. Please consider revising the proposed initiative as follows:

1. The correct format for an amending clause that *adds* a section to an article in the Colorado Constitution is:

SECTION 1. In the constitution of the state of Colorado, **add** section 20 to article XVIII as follows:
2. Standard drafting language for an effective date clause is as follows: "This act takes effect January 14, 2027."

3. The word “of” in the headnote for the proposed new section to the Colorado Constitution appears to be written in small capital letters. Headnotes should be written in lowercase text.
4. In statutory and constitutional language, dates are written out as follows: “January 19, 2025,” “January 14, 2027,” etc.